

Message Text

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51

ACTION EB-11

INFO OCT-01 EUR-25 IO-14 ISO-00 L-03 AF-10 ARA-16 EA-11

NEA-14 RSC-01 OIC-04 ACDA-19 CIAE-00 DODE-00 PM-07

INR-10 NSAE-00 NASA-04 NSC-07 SCI-06 CCO-00 OTPE-00

FCC-03 OC-06 COME-00 SS-20 SP-03 PA-04 PRS-01 USIA-15

DRC-01 /216 W

----- 053036

R 271640Z MAY 74

FM USMISSION GENEVA

TO SECSTATE WASHDC 6029

INFO AMEMBASSY MOSCOW

USUN NEWYORK 450

AMEMBASSY PARIS

UNCLAS GENEVA 3299

E.O. 11652: NA

TAGS: TSPA, PFOR, UN

SUBJ: OUTER SPACE LEGAL: REMOTE SENSING --

FRENCH/SOVIET PRINCIPLES

1. LATE MAY 24 SOV DEL PASSED TO US DEL FOLLOWING TEXT OF JOINT USSR/FRENCH PROPOSED PRINCIPLES ON REMOTE SENSING. PRINCIPLES ESSENTIALLY CONSIST OF COMBINATION OF FRENCH PRINCIPLES INTRODUCED 15 MAY 1973 (A/AC.105/L.69) AND SOVIET PRINCIPLES INTRODUCED 18 APRIL 1973 (A.AC.105/C.2/L.88). COMBINED TEXT IS AS FOLLOWS:

2. QUOTE. 1. OUTER SPACE SHALL BE FREE FOR USE BY ALL STATES, WITHOUT DISCRIMINATION OF ANY KIND ON A BASIS OF EQUALITY AND IN ACCORDANCE WITH INTERNATIONAL LAW, INCLUDING THE UNITED NATIONS CHARTER AND THE 1967 OUTER SPACE TREATY, FOR CARRYING OUT REMOTE SENSING OF EARTH RESOURCES EXCLUSIVELY FOR PEACEFUL PURPOSES.

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"2. SUCH USE SHALL, IN PARTICULAR, RESPECT THE

PRINCIPLE OF THE SOVEREIGNTY OF STATES, WITH SPECIAL REFERENCE TO THE RIGHT OF PERMANENT SOVEREIGNTY OF PEOPLES/AND NATIONS OVER THEIR WEALTH AND RESOURCES AS A BASIC CONSTITUENT OF THEIR RIGHT TO SELF-DETERMINATION AS WELL AS THEIR INALIENABLE RIGHT TO DISPOSE OF THEIR NATURAL RESOURCES AND OF INFORMATION CONCERNING THOSE RESOURCES.

3. REMOTE SENSING OF EARTH RESOURCES FROM OUTER SPACE AND INTERNATIONAL COOPERATION IN THIS FIELD SHALL BE CARRIED OUT FOR THE BENEFIT AND IN THE INTERESTS OF ALL COUNTRIES, AND THEIR RESULTS SHOULD CONTRIBUTE TO AN IMPROVEMENT IN THE BALANCE OF THE NATURAL ENVIRONMENT.

4. A STATE ENGAGED IN REMOTE SENSING OF EARTH RESOURCES FROM OUTER SPACE WHICH IN THE COURSE OF THESE ACTIVITIES OBTAINS INFORMATION ON NATURAL RESOURCES OF ANOTHER STATE SHALL TRANSMIT SUCH INFORMATION TO THE LATTER STATE ON MUTUALLY ACCEPTABLE TERMS.

5. (1) EVERY STATE WHOSE TERRITORY IS AFFECTED BY REMOTE SENSING OF EARTH RESOURCES MAY UPON AGREEMENT WITH THE STATE CONDUCTING THE REMOTE SENSING PARTICIPATE IN THESE ACTIVITIES ON EQUAL AND MUTUALLY ACCEPTABLE TERMS.

(2) A STATE WHICH OBTAINS INFORMATION CONCERNING THE NATURAL RESOURCES OF ANOTHER STATE THROUGH THE USE OF REMOTE SENSING TECHNOLOGY SHALL NOT BE ENTITLED TO MAKE IT PUBLIC WITHOUT THE CLEARLY EXPRESSED CONSENT OF THE STATE TO WHICH THE NATURAL RESOURCES BELONG NOR TO USE IT IN ANY OTHER MANNER TO THE DETRIMENT OF SUCH STATE. INFORMATION RESULTING FROM A REMOTE SENSING ACTIVITIES MAY NOT BE TRANSFERRED TO THIRD PARTIES, WHETHER GOVERNMENTS, INTERNATIONAL ORGANIZATIONS OR PRIVATE PERSONS, WITHOUT THE CONSENT OF THE STATE WHOSE TERRITORY IS AFFECTED.

(3) EXCEPTION FROM THE PRINCIPLE CONTAINED IN SUBPARAGRAPH (2) ABOVE IS MADE FOR THE INFORMATION ON NATURAL DISASTERS AND PHENOMENA WHICH CAN BE DETERIMENTAL FOR THE ENVIRONMENT IN GENERAL.

6. ALL STATES ARE ENTITLED ON EQUAL AND MUTUALLY UNCLASSIFIED

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ACCEPTABLE TERMS TO RECEIVE AND PROCESS DATA RESULTING FROM ACTIVITIES IN REMOTE SENSING OF TERRITORIES SITUATED OUTSIDE NATIONAL JURISDICTION OF ANY STATE. THEY ALSO ARE ENTITLED TO HAVE ACCESS TO THE RESULTS OF SUCH ACTIVITIES ON THE SAME TERMS WITHIN THE FRAMEWORK OF AN ORGANIZED SYSTEM OF INTERNATIONAL COOPERATION.

7. EVERY STATE CONDUCTING ACTIVITIES IN THE FIELD OF

REMOTE SENSING OF EARTH RESOURCES SHALL INFORM THE SEC-
RETARY-GENERAL, ACCORDING TO ARTICLE XI OF THE TREATY
ON OUTER SPACE. UNQUOTE.ABRAMS

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